

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

In re: CHARLIE C. HENRY, JR. & DELORES I. HENRY

Chapter 13

Case No.: 07-60366-WA4

Debtor(s)

TRUSTEE'S MOTION TO DISMISS OR CONVERT AND NOTICE OF HEARING

NOTICE TO THE ABOVE-NAMED DEBTOR(S) AND COUNSEL:

Payments to the Trustee under the terms of the confirmed plan are in default in the amount of: \$2,065.00 (calculated to the date of hearing); this amount may be reduced by any payments received by the Trustee's office prior to the date of hearing on this motion. Pursuant to 11 U.S.C. § 1307, the Trustee moves to dismiss this case or convert this case to Chapter 7. Please take notice that if the hearing date scheduled below is continued or rescheduled, and if the debtor fails to make timely plan payments to the Trustee following the date noticed below, the Trustee will request dismissal or conversion on the continued or rescheduled hearing date.

WHEREFORE, based on the foregoing, pursuant to 11 U.S.C. § 1307, the Trustee moves that this case be dismissed.

Rebecca B. Connelly, Trustee
P.O. Box 1001
Roanoke, VA 24005
(540) 342-3774


Rebecca B. Connelly
Pamela F. Logan, Counsel

NOTICE IS HEREBY GIVEN TO THE DEBTOR(S) THAT: YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.

Unless you file with the Office of the Clerk a written response to this Motion at least 7 days before the hearing described below, the Trustee may oppose any request for a continuance and will ask that the Court dismiss your case. Further, any motions you may wish to file MUST be filed at least 7 days prior to the date of hearing on this motion, and noticed for hearing. If you do not take these steps, the Court may decide that you do not oppose the dismissal of your case.

NOTICE OF HEARING

Notice is hereby given to the debtor(s) and to debtors' counsel that HEARING WILL BE HELD ON THIS MOTION ON Wednesday, October 6, 2010 at 10:00 am or as soon thereafter as the parties may be heard before the Honorable William E. Anderson, Bankruptcy Judge, at the United States Bankruptcy Court, 3rd Flr Courtroom, US Courthouse 700 Main St. Danville, VA 24541.

Hearing on said motion may be rescheduled from time to time in open court without further written notice.

Dated: 8.17.10


Rebecca B. Connelly
Pamela F. Logan, Counsel

CERTIFICATE OF SERVICE

I certify that on the 17 day of Aug., 2010, I mailed a copy of the foregoing to the debtor(s) at their last known address appearing on the mailing matrix and counsel for the debtor(s).

Office of the Chapter 13 Trustee

by: 

07-60366 CHARLIE C. HENRY, JR.

CHARLIE C. HENRY, JR. (XXX-XX-6645) CHARLIE C. HENRY, JR. (XXX-XX-3982) DELORES I. HENRY (XXX-XX-3982) Attorney: COX LAW GROUP, PLLC 

Ticket Me



9/11/2007 101699

E&M EXPRE 90062

EMPLOYER CHECK/10 DAY HOLD

\$500.00

8/15/2007 101579

E&M EXPRE 90009

EMPLOYER CHECK/10 DAY HOLD

\$400.00

7/16/2007 101412

E&M EXPRE 89944

EMPLOYER CHECK/10 DAY HOLD

\$346.16

7/3/2007 101332

863940

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$76.92

6/25/2007 10194

858922

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$76.92

6/18/2007 101252

E & M EXP 89885

EMPLOYER CHECK/10 DAY HOLD

\$100.00

6/1/2007 101173

859105

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$200.00

5/15/2007 101074

9103003965

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$200.00

4/26/2007 100966

93220331668

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$50.00

4/20/2007 100930

93220331220

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$50.00

4/12/2007 100879

93220325796

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$50.00

4/2/2007 100819

93220330274

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$25.00

3/26/2007 100776

93220329870

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$25.00

3/20/2007 100747

487923246

MONEY ORDER/PAYMENT TO DEBTOR ACCT

\$100.00

Totals:

\$14,550.00

\$0.00